SEP 18 201/

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## IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

No. 17-20149

A True Copy Certified order issued Sep 18, 2017

Jule W. Cayea Clerk, U.S. Court of Appeals, Fifth Circuit

4114-64-3253

STEPHEN MCCOLLUM, Individually; SANDRA MCCOLLUM, Individually; STEPHANIE KINGREY, Individually and as independent administrator of the Estate of Larry Gene McCollum,

Plaintiffs - Appellees

v.

BRAD LIVINGSTON; JEFF PRINGLE; KAREN TATE; SANDREA SANDERS; ROBERT EASON; TEXAS DEPARTMENT OF CRIMINAL JUSTICE; UNIVERSITY OF TEXAS MEDICAL BRANCH,

Defendants - Appellants

Appeals from the United States District Court for the Southern District of Texas, Houston

Before PRADO, ELROD, and GRAVES, Circuit Judges.

## PER CURIAM:

IT IS ORDERED that appellees' unopposed motion to partially dismiss the appeal taken by the Texas Department of Criminal Justice for lack of jurisdiction is GRANTED.

## **United States Court of Appeals**

FIFTH CIRCUIT OFFICE OF THE CLERK

LYLE W. CAYCE CLERK

TEL. 504-310-7700 600 S. MAESTRI PLACE **NEW ORLEANS, LA 70130** 

September 18, 2017

Mr. David J. Bradley Southern District of Texas, Houston United States District Court 515 Rusk Street Room 5300 Houston, TX 77002

> No. 17-20149 Stephen McCollum, et al v. Brad Livingston, et al USDC No. 4:14-CV-3253

Dear Mr. Bradley,

Enclosed is a copy of the judgment issued as the mandate as to Texas Department of Criminal Justice ONLY.

Sincerely,

Christina

LYLE W. CAYCE, Clerk

By:

Christina A. Gardner, Deputy Clerk 504-310-7684

Yardner

cc w/encl:

Ms. Courtney Brooke Corbello Mr. Jeff S. Edwards Mr. Matthew Hamilton Frederick

Mr. Matthew James Greer Ms. Jacqueline Lee Haney

Mr. Joseph David Hughes

Mr. David James

Mr. Scott Charles Medlock

Ms. Wallis Nader

Mr. Michael C. Singley